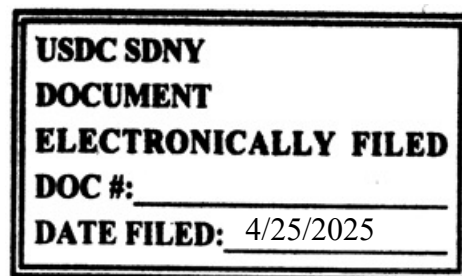


**PETERS
BROVNER**
LLP.

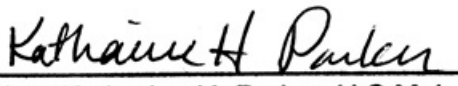


April 23, 2025

VIA ECF

The Honorable Katharine H. Parker
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

APPLICATION GRANTED

 4/25/2025
Hon. Katharine H. Parker, U.S.M.J.

Re: *Trovato v. New York City Police Department, et al*
1:24-cv-09833-PAE-KHP

Dear Judge Parker,

We represent the Defendants Marissa Brown, Owen Brown, Michael Carroll and Patrick Sweeney (collectively, “Defendants”) in the above-captioned matter. Defendants intend to file a Motion for Sanctions against the Plaintiff *pro se* on Friday, April 25, 2025, pursuant to Your Honor’s April 11 Memo Endorsement (Dkt. No. 51). We write now pursuant to Your Honor’s Local Rule III.d. requesting to file an exhibit to a forthcoming affirmation under seal.

As part of Defendants’ sanctions papers, undersigned counsel, Lesley Brovner, wishes to submit a document that Defendant Ms. Brown previously produced to Plaintiff during the discovery phase of the related matter *Brown v. Trovato*, No. 23-cv-09895-PAE-KHP (S.D.N.Y.). This document is marked “Confidential” and is subject to a protective order in *Brown v. Trovato*. Specifically, this document is a mental health record from Ms. Brown’s psychotherapist that undersigned counsel believes is essential to provide in her forthcoming affirmation as it directly refutes certain facts asserted by the Plaintiff in his Amended Complaint.

Fed. Rule Civ. Pro. 11(b)(3) requires that a filing’s “factual contentions have evidentiary support[.]” and the confidential mental health record is one of the exhibits undersigned counsel intends to introduce to demonstrate that Plaintiff’s Amended Complaint is full of factual contentions that are completely lacking in evidentiary support and that are in direct contradiction to evidence Plaintiff already possesses. However, as the subject document discusses sensitive mental health issues regarding Ms. Brown, of which Plaintiff is already aware, undersigned

**PETERS
BROVNER**
LLP.

ADDRESS
PHONE
EMAIL
WEBSITE

139 Fulton St. Suite 132, NYC 10038
917-639-3270
mpeters@petersbrovner.com
lbrovner@petersbrovner.com
petersbrovner.com

respectfully requests to file this document under seal to protect Ms. Brown's personal health information from the public view.

Accordingly, we respectfully request permission to file this document under seal as an exhibit to a forthcoming affirmation from undersigned, Lesley Brovner.

Respectfully submitted,

_____/s/_____

Lesley Brovner

Mark G. Peters

PETERS BROVNER LLP

Counsel for Plaintiff

Cc: Richard Trovato, Plaintiff *Pro Se*
By ECF